

ORDINANCE # 501A

WHEREAS, mobile homes used for dwellings are required to be registered and licensed in accordance with State Law as set out in Sections 31-17-310, et. Seq., and 44-55-820; and

WHEREAS, the County of Marlboro desires to adopt an Ordinance regulating the licensing of mobile homes in Marlboro County,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF MARLBORO COUNTY IN COUNCIL DULY ASSEMBLED AS FOLLOWS:

Section 1. DEFINITIONS.

Unless clearly indicated otherwise by the context, as used in this Ordinance:

- A. "Mobile Home" means a manufactured single family dwelling or an integral part so constructed that it may be transported from one site to another, temporarily or permanently affixed to real estate, made up of one or more components, and constructed with the same or similar electrical, plumbing, heating and sanitary facilities as on-site constructed housing.
- B. "Licensing Agent" means the Marlboro County Building Codes Officer.

Section 2. AGE OF MOBILE HOMES ALLOWED IN MARLBORO COUNTY.

- A. A Mobile Home manufactured prior to 1985 can not be moved into Marlboro County.
- B. Mobile Homes currently located within Marlboro County manufactured after July 15, 1976 according to the HUD construction and safety standards may be maintained in the County and, if desired,

moved within Marlboro County, provided all necessary permits are applied for, obtained, and displayed properly.

Section 3. REGISTRATION AND LICENSING OF MOBILE HOMES.

Within fifteen (15) days after bringing a mobile home into Marlboro County, or the purchase of a mobile home in this County for Dwelling purposes, or the movement of a mobile home from one site to another within the County, the owner, rental agent, or person in possession of such mobile home shall obtain a mobile home license from the Licensing Agent. If the mobile home is to be relocated in Marlboro County from another county, the mobile home owner or agent must submit the moving permit from such county to the Licensing Agent. To Obtain such mobile home license, the mobile home owner, rental agent, or person in possession must submit to the Licensing Agent the following:

- A. Copy of a septic tank approval from the South Carolina Department of Health and Environmental Control for the site where the mobile home will be located.
- B. Proof that all taxes have been paid on the mobile home on any mobile home traded for the subject mobile home.
- C. Title, bill of sale, or finance papers for the subject mobile home.

Section 4. PROOF OF LICENSE REQUIRED PRIOR TO CONNECTING ELECTRICITY.

Before connecting electricity to any mobile home in this county, the electric supplier shall obtain from the owner, rental agent, or person in possession of the mobile home, a copy of the certified license application form indicating that the license fee has been paid, and the supplier shall retain a copy of the form in its records.

Section 5. PERIOD OF VALIDITY OF LICENSE ISSUED BY LICENSING AGENT; DECAL; LICENSE FEE.

A mobile home license issued by the Licensing Agent shall be valid until title to such mobile home is transferred to a new owner or until the mobile home is relocated. The license shall be evidenced by a decal to be delivered to the owner or his agent on such form as shall be prescribed by the South Carolina Tax Commission and shall be displayed on the mobile home so as to be clearly and readily visible from the outside. The processing and related fees for a mobile home license shall be One Hundred & no/100(\$100.00) Dollars. The fee shall be collected by the Licensing Agent issuing the license and shall be paid into the General Fund of the County. If for some reason a mobile home decal which has been on display is lost or destroyed, the said mobile home owner or his agent will be required to purchase another decal.

Section 6. NEW LICENSE REQUIRED UPON TRANSFER OF MOBILE HOME.

If the title to a mobile home is transferred to a New owner, the new owner or his agent shall within fifteen (15) days after the date of such transfer obtain a new license from the Licensing Agent.

Section 7. MOVING PERMIT; CERTIFICATE CONCERNING TAXES; NOTICE TO ELECTRIC SUPPLIER.

If the mobile home is to be relocated, the owner shall, prior to relocation, obtain a moving permit from the Licensing Agent. The processing and related fees for a mobile home moving permit shall be One Hundred and no/100(\$100.00)Dollars. Before issuing moving permit, the Licensing Agent shall require a certificate from the County Treasurer that there are no unpaid taxes due on the mobile home. IF the mobile home is to be removed beyond the boundaries of the County, any taxes that have been assessed for the calendar year shall be paid in full, and if taxes have not yet been assessed for the calendar year in which the move is being made, the Assessor shall provide the County Auditor with an assessment and the auditor shall apply the previous year's millage. The County Treasurer shall collect such taxes before issuing the requisite certificate to the Licensing Agent.

Provided, however that the Licensing Agent shall promptly notify the present electric supplier that a permit has been issued. Provided, further that the permit required by this Section shall not be required of mobile home dealers when they are moving a mobile home from their sales lot to a customer's lot. Provided, further, that such mobile home dealer shall not be relieved from obtaining a permit required from the Department of Highways and Public Transportation for such relocation.

Section 8. PERMIT SHALL ACCOMPANY MOBILE HOME DURING MOVE; REGULATIONS; RESPONSIBILITY FOR DISPLAYING PERMIT.

The moving permit shall accompany the mobile home while it is being moved. The moving permit shall be designed and displayed in accordance with regulations to be issued by the South Carolina Tax Commission, which shall adopt such regulations as may be necessary to insure uniform licensing and moving permit procedures. It shall be the responsibility of the mobile home transporter that the required moving permit is properly displayed and accompanies the mobile home while it is being moved. It shall be a violation of this Ordinance for any mobile home dealer or transporter of a mobile home to move a mobile home, unless the owner or agent of such mobile home has obtained the moving permit as required by this Ordinance.

Section 9. SUBMISSION OF MOVING PERMIT TO LICENSING AGENT OF NEW COUNTY; ISSUANCE OF NEW PERMIT; TRANSMISSION OF PAPERS TO NEW COUNTY.

If the relocation is from one county to another, the mobile home owner shall with fifteen (15) days after his mobile home is relocated submit the moving permit to the Licensing Agent of the county wherein such mobile home is relocated and obtain a new license. The Licensing Agent issuing the moving permit shall promptly furnish the Licensing Agent of the county to which the mobile home is being transported with a copy of the license application or permit.

Section 10. COPIES OF APPLICATIONS AND PERMITS TO
BE GIVEN TO COUNTY ASSESSOR.

A copy of all license application and moving permits shall be furnished to the County Assessor with ten (10) days of date of issuance.

Section 11. MOBILE HOME PARK OWNERS REQUIRED TO
FURNISH LICENSING AGENT WITH A LISTING AND MAP

Each mobile home park owner as defined by South Carolina State Law shall on or before January 1 of each year provide to the Licensing Agent a map or plat showing the lots and the location of all mobile homes in his or her mobile home park and shall furnish the Licensing Agent with a list of mobile home owners in his or her park. Such list shall show the full name of the owner and the year, make, and model of the mobile home owned by such owner.

Section 12. PENALTY

Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be subject to the penalties of a fine or forfeiture not exceeding FIVE HUNDRED (\$500) dollars, or imprisonment not exceeding thirty days, or both allowable for such offense in Magistrate's Court.

Section 13. ENFORCEMENT

The responsibility for the enforcement of this Ordinance is assigned to the staff of the Planning Department to include, but not limited to, the Building Codes Officer and the Environmental Control Officer. At the discretion of the County Administrator, additional positions may be assigned responsibility to assist with the enforcement of this Ordinance.

Adopted this 16th day of October, 2003.

FIRST READING: August 14, 2003
SECOND READING: September 4, 2003
THIRD READING: October 16, 2003

Ordinance was adopted on October 16, 2003
Susan E. Rivers, Clerk to Council

Fees are attached:

MOBILE HOME FEES (Effective December 1, 2003)

Mobile Home Registration (Existing) \$ 100.00

Decal \$ 5.00
Processing \$ 50.00
Inspection of Site \$ 45.00

Mobile Home Registration (New) \$ 100.00

Moving Permit \$ 40.00
Decal \$ 5.00
Processing \$ 20.00
Inspection \$ 45.00

Moving Within County \$ 100.00

Moving Permit \$ 40.00
Processing \$ 20.00
Inspection \$ 40.00

Moving out of County

Moving Permit \$ 40.00

(with proof of paid taxes)